Frequently Asked Questions

An Additional Help for ADS 300

FREQUENTLY ASKED QUESTIONS

1. **Why is USAID making these changes?**

USAID's acquisition and assistance portfolio represents the greatest share of the Agency's annual spending. In fiscal year 2012, 80 percent of all Agency spending went through acquisition and assistance awards. Awards with a total estimated cost of $25 million or more represent the vast majority of all spending. The reviews will increase senior management engagement and accountability for acquisition and assistance, ensure more rigorous project design and costing standards, establish greater linkages between Washington and field activities and result in more effective implementing mechanisms. The new process also responds to a 2007 recommendation from the Helping to Enhance the Livelihood of People Around the Globe (HELP) Commission, a bi-partisan group consisting of members from Congress, development practitioners, the private sector, and others. The HELP Commission recommended that major contracting decisions be closely supervised by Assistant Administrators and their deputies given the key role of contracts and grants in accomplishing the Agency's mission.

2. **What is the dollar threshold for the pre-solicitation and pre-award reviews?**

The responsible Assistant Administrator will approve new solicitations at or above $25 million in total estimated cost at the pre-solicitation stage. The Administrator will provide the final authorization for the Contracting Officer/Agreement Officer to proceed with proposed awards at or above $75 million**.**

3. **Does the review process apply to a $25 million solicitation that was issued before the effective date of the new policy?**

No. The pre-solicitation review process does not apply to solicitations issued prior to the effective date of the policy.

4. **What types of awards are included in the review process?**

The review process applies to acquisition and assistance solicitations and awards signed by an M/OAA backstop CO/AO, including contracts, grants, cooperative agreements, indefinite delivery- indefinite quantity (IDIQ) contracts and task orders issued under IDIQs, awards to public international organizations (PIOs) and interagency agreements. Food for Peace non-emergency awards are included in the review process. Humanitarian assistance and transition initiatives awards are exempted. Bureaus will consider the criteria when planning awards signed within the bureau or mission by AAs or mission directors (e.g., government-to-

government agreements (G2G), awards to PIOs and bilateral development partners and Interagency Agreements), but these awards will not be included in this review process at this time.

5. How will the Agency ensure that the Administrator's "go/no-go" pre-award authorizations are objective and not political?

The Administrator will make a business decision based on Agency needs and conditions prior to award. The documentation provided for the pre-award review will exclude the name and any other information that would identify the potential awardee(s).

6. How much time does the Assistant Administrator (AA) have to provide a response to the pre-solicitation Acquisition and Assistance Review and Approval Document (AARAD)?

The responsible AA has seven calendar days to approve the AARAD or raise questions. If the AA does not respond within the seven calendar days, the Contracting Officer Representative/Agreement Officer Representative will provide the AARAD to the Contracting Officer/Agreement Officer (CO/AO) with a note on the AARAD indicating that the timeframe has lapsed. The CO/AO can then proceed with the solicitation.

7. How much time do the Assistant Administrator (AA) and Administrator have to respond to the pre-award Acquisition and Assistance Review and Approval Document (AARAD)?

The AA and the Administrator each have seven calendar days to respond to the pre-award AARAD. The responsible AA will have seven calendar days to sign the pre-AARAD or raise questions. After the seven days, the AARAD will be forwarded to the Administrator for a final authorization to proceed with the award. The Administrator will also have seven calendar days to authorize the award or raise concerns, after which time the Contracting Officer/Agreement Officer can proceed with the award. The TEC chair must provide the AARAD with the Administrator's authorization or a copy of the AARAD with a notation that the seven days have lapsed to the CO/AO.

8. Can the Contracting Officer/Agreement Officer (CO/AO) release draft documents to the partner community before the approval is received from the Assistant Administrator?

The CO/AO must not release the **final** requirements document without the Assistant Administrator's (AA's) approval or written notification from the Contracting Officer's Representative/Agreement Officer Representative that the seven day timeframe for the AA's response has lapsed. The intent is to receive the AA's approval on the program component prior to the issuance of the Request for Proposal/Application without discouraging early outreach to

the partner community. The **draft** scope of work or program description, for example, could be made available.

9. Doesn't the new process diminish the authority of the acquisition and assistance staff?

The new process does not impact the Contracting Officer/Agreement Officer's role as the source selection authority. The pre-solicitation review by the Assistant Administrators will ensure more rigorous project design and costing standards and a more comprehensive solicitation that is consistent with Agency priorities and reforms. The Administrator's pre-award review will be a business decision that focuses on Agency needs rather than the evaluation process.

10. Is training available on the new process?

The new requirements have been incorporated in the acquisition and assistance courses. In addition, a webinar is available to provide more immediate training.

11. Is there a help desk or some way to request assistance?

An email box has been set up to receive and respond to questions. The address is A&AReview@usaid.gov.

12. What documentation goes to the Assistant Administrators to support the pre-solicitation approvals?

Assistant Administrators will receive the Acquisition and Assistance Review and Approval Document (AARAD) which provides a description of how the activity will satisfy the qualifying criteria. The additional supporting documentation may include the Project Appraisal Document (PAD), the Individual Acquisition Plan (IAP), and key elements of the Request for Proposal/Application after an initial review by the Contracting Officer/Agreement Officer, e.g., the statement of work/program description, evaluation criteria and independent government cost estimate. The contracting officer's representative/agreement officer's representative will complete the AARAD, obtain the clearance of the Mission Director/Head of the Operating Unit and forward the approval package to the responsible Assistant Administrator.

13. What documentation goes to the Administrator to support the pre-award decision?

The Administrator will receive the Acquisition and Assistance Review and Approval Document (AARAD) completed by the Technical Evaluation Committee chair at the pre-award stage and the pre-solicitation AARAD that was approved by the Assistant Administrator. The Project Appraisal Document (PAD) and the Contracting Officer/Agreement Officer responsibility determination may also be provided. The name of the potential awardee(s) and any other information that may identify the potential awardee(s) must be excluded.

14. What is the role of the program staff?

4

The Contracting Officer's Representative/Agreement Officer's Representative initiates the pre-solicitation Acquisition ad Assistance Review and Approval Document (AARAD) to obtain the Assistant Administrator's (AA) approval. The approval package is cleared by the Mission Director/Head of the Operating Unit before it is forwarded to the AA. The Technical Evaluation Committee (TEC) chair initiates the pre-award AARAD and obtains the clearance of the Mission Director/Head of the Operating Unit. The AARAD is then forwarded to the responsible Assistant Administrator for his/her recommendation before forwarding the document to the Administrator for a final decision.

15. Why aren't the reviews starting at the beginning of the next fiscal year?

The Administrator would like to apply the criteria to awards as soon as possible since the activity can impact an Agency program over many years. The review process requirements will be applied to new awards at the pre-solicitation and pre-award stage effective immediately.

16. When should we expect the ADS changes?

[ADS 300, Acquisition and Assistance Planning](#) has been revised to incorporate the review process. The changes will be incorporated in ADS 201 as soon as possible.

17. How many days will the reviews extend Procurement Action Lead Times (PALTs)?

The reviews are expected to have limited impact on PALTS. The Contracting Officer/Agreement Officer will receive key elements of the Request for Proposal/Application, e.g., scope of work/program description, before the Assistant Administrator's (AA) approval is requested. The preliminary work required for a solicitation will be done concurrently with the AA's review. At the pre-award stage, the Technical Evaluation Committee Chair will concurrently obtain clearances while the pre-award documentation is being prepared. The AA will have seven calendar days to provide a recommendation on the Acquisition and Assistance Review and Approval Document (AARAD) after which time the approval package is forwarded to the Administrator for a decision.

18. Does the review process apply to institutional support contracts?

The Acquisition and Assistance Review and Approval Document (AARAD) must be completed for institutional support contracts that meet the dollar threshold. Some criteria will not be relevant, but the review must address the criteria to the extent possible.

19. Which Assistant Administrator (AA) approves a solicitation when the action is being funded by a pillar bureau and the activity is taking place in-country?

Regional bureau AAs will serve as the approving officials for award solicitations initiated in their respective bureaus in USAID/Washington or overseas missions falling under their oversight. Pillar bureau AAs will approve USAID/Washington award solicitations that the

bureaus initiate. As a part of this process, the regional and pillar bureau AAs will coordinate where appropriate.

20. Does the policy apply if an award is amended to increase the cost at or above $25 million?

The review process only applies to new awards.

21. Will the Administrator be the Source Selection Authority for awards at or above $75 million?

The contracting officer/agreement officer will continue to be the source selection authority for the awards. The Administrator will make a business decision based on the situation at the time of award.

22. Will the qualifying criteria be incorporated into the evaluation criteria for the solicitations?

The qualifying criteria should be incorporated into the evaluation criteria for all contracts and grants over $25 million unless the criteria are inapplicable for a particular instrument.

23. For multiple award IQCs, will the approval document be required for all offerors?

There will be one Acquisition and Assistance Review and Approval Document (AARAD) that covers all potential awardees under the IQC.

24. Will there be guidance on how to achieve the costing piece?

The **Independent Government Cost Estimate Guide and Template** provides more detailed guidance on the considerations to address the "Value for Money" criterion.

25. **Can the Assistant Administrator delegate the approval responsibility**?

The Assistant Administrator can only delegate the approval responsibility to the person formally designated to act in his/her absence.

26. **If there is a substantive change that would impact the qualifying criteria, does the Acquisition and Assistance Review and Approval Document have to be resubmitted for the Assistant Administrator's (AA's) approval?**

The AA must review and approve any changes that will substantively change the description of how the activity will satisfy the qualifying criteria.

27. **If the planned action is greater than or equal to $75 million, is a pre-solicitation approval by the Assistant Administrator required?**

Yes, for actions greater than or equal to $75 million, the responsible Assistant Administrator must approve the issuance of a solicitation. The Administrator's approval is not required at the pre-solicitation stage. The Administrator will provide pre-award authorization for awards at $75 million or above.

28. **Is the Acquisition and Assistance Review and Approval Document (AARAD) required for both the pre-solicitation and pre-award review?**

The Contracting Officer Representative/Agreement Officer Reresentative will complete the initial approval document at the pre-solicitation stage for awards at or above $25 million. For awards at or above $75 million, the Technical Evaluation Committee Chair will complete another AARAD that provides a description of how the activity as proposed by the potential awardee being considered will satisfy the qualifying criterion.

29. **Will the pre-solicitation Acquisition and Assistance Review and Approval Document (AARAD) and all supporting documentation from the pre-solicitation approval need to be submitted at the time of the pre-award authorization?**

For awards at or above $75 million in total estimated cost, the Administrator will receive the pre-award AARAD completed by the Technical Evaluation Committee Chair and the pre-solicitation AARAD. The Project Appraisal Document and the Contracting Officer/Agreement Officer's responsibility determination may also be provided. The name of the potential awardee(s) and any documentation that may identify the potential awardee(s) will be excluded from any documentation provided at the pre-award stage.

30. **Are the Independent Government Cost Estimate (IGCE) and the supporting statement the only cost information submitted with the approval documents?**

The potential awardees budget may be provided/requested as long as any information that could identify the potential awardee is removed.

31. Is there a page limit for the Acquisition and Assistance Review and Approval Document (AARAD)?

There is no specific page limit for the AARAD, but the information should be summarized to the extent feasible. There should usually be no more than 7-10 pages.

32. If a solicitation was issued at $75 million before the policy was issued, but an award has not taken place, does the Administrator still undertake a pre-award "go/no-go" review?

Yes. The Administrator will provide the final authorization to proceed with awards at or above $75 million in total estimated cost even though the solicitation was issued before the policy was implemented.

33. Please clarify how the criterion for assessing the 'on the ground' situation should be addressed in terms of global programs which often do not have defined locations at the time of solicitation or even at the time of award. Specifically, can global programs be exempted from this criterion?

Each criterion should be addressed to the extent that it applies to the type of activity. Specific criteria may not be relevant in every case.

34. How is the Contracting Officer's Representative/Agreement Officer's Representative (COR/AOR) involved in completing the Acquisition and Assistance Review and Approval Document (AARAD).

The COR/AOR will complete the AARAD, obtain the clearance of the Mission Director/Head of the Operating Unit and forward the approval package to the responsible Assistant Administrator.

35. Does the Contracting Officer/Agreement Officer (CO/AO) have any role in the concurrence/review of the Acquisition and Assistance Review and Approval Document (AARAD) for either pre-solicitation approval or the pre-award authorization?

The CO/AO does not clear the AARAD, but will do an initial review of the key elements of the Request for Proposal/Application (e.g., scope of work/program description, evaluation criteria) before the documentation is forwarded to the responsible Assistant Administrator for approval.

36. Please clarify what information in the Acquisition and Assistance Review and Approval Document (AARAD) is being reviewed at the Contract Review Board (CRB) and at the Board for Acquisition and Assistance Review (BAAR).

The CRB and BAAR will inquire about the status of the AARAD approval. This will serve as a check point to ensure that the reviews are completed or in process when required. A copy of the pre-award AARAD with the Administrator's authorization to proceed with awards at or above $75 million must be provided to the pre-award CRB.

37. Is pre-award authorization required before a Congressional Award Notification is provided to LPA? Can these clearances be sought simultaneously?

The clearance may be sought simultaneously, but the notification should not be submitted before the Administrator's authorization is obtained.

38. Does the policy apply if the total estimated cost at solicitation is below $25 million, but the actual award cost is above $25 million?

The pre-solicitation Acquisition and Assistance Review and Approval Document (AARAD) is only required when the total estimated cost based on the independent government cost estimate (ICGE) is at or above $25 million. The responsible Assistant Administrator should be informed when the award cost is greater than anticipated, resulting in a total cost in excess of the threshold.

39. Does the policy apply to awards to Public International Organizations (PIO) that are signed by an agreement officer (AO) vs. the Assistant Administrator or Mission Director?

The review process applies to awards to PIOs that are signed by an M/OAA backstop contracting officer/agreement officer. While it does not apply to awards signed by Assistant Administrators or Mission Directors at this time, bureaus and missions should consider the criteria when planning awards to these organizations.

40. Are non-disclosure agreements required for individuals who will be working with the Acquisition and Assistance Review and Approval Document (AARAD)?

The individuals who work with the AARAD are not required to sign a non-disclosure agreement since the AARAD and other documentation will not disclose the name of the potential awardee or any information that that may identify the potential awardee.

41. Does the review process only apply to appropriated funds? In other words, would cost sharing provided through public-private partnerships be included for the purpose of determining the total estimated cost?

All funding sources should be considered in determining the total estimated cost of the activity. For example, if $20 million is provided from appropriated funds and another $5 million is partner cost-sharing, the solicitation must be approved by the responsible Assistant Administrator.